

Town of Ayer

Office of the Town Planner



Town of Ayer | Ayer Town Hall | 1 Main Street, 3rd Floor | Ayer, MA 01432 | 978-772-8218 | www.ayer.ma.us

Monthly Staff Report

To: Robert Pontbriand, Town Administrator

From: Mark Archambault, Ayer Town Planner

Re: Monthly report for the period January 23, 2019 – February 20, 2019

Date: February 20, 2019

1. Project Review:

- a. A **Preliminary Subdivision Plan** was submitted on December 18 by Places Associates, for a 23-lot subdivision along the shoreline of Shaker Mill Pond, which is accessed from Shaker Road. This case is still being reviewed by the Planning Board, and the applicant granted the Planning Board an extension for the time in which they have to consider this application to the end of February. There are several issues that the Planning Board must resolve for this case, including the length of a dead-end road, a potential emergency access agreement with the abutting Shaker Hills Golf Course in Harvard, and the configuration of the open space. This Preliminary Plan will require coordination with the Conservation Commission on the conservation findings prior to the applicant's submittal of a Definitive Plan in the near future.
- b. The **Special Permit** public hearing for an accessory (storage) building on property owned by North Atlantic Concrete at 21 Westford Road, will now be heard on March 12, 2019 due to the snowstorm cancelling the meeting on February 12. This property is in the Industrial District, and is also in the Aquifer Protection Overlay District, thereby requiring a Special Permit from the Planning Board after review and recommendations are received from the Board of Health. The Planning Board approved the Site Plan portion of the application at its January 26 meeting.

2. Continued work on Subdivision Regulations:

I have continued working with Town Engineer Dan Van Schalkwyk and Planning Board member Ken Diskin on developing new Subdivision Regulations. **As of mid-February a complete draft has been prepared.** Work has begun on proof-reading the document, checking for inconsistencies and compatibility with the Zoning Bylaw and other Town regulations, and incorporating guidance on the Conservation Analysis and Development Impact Statement (see item 4 below) as they apply to Open Space Residential Development subdivisions.

After our internal review we would then like to have the new Subdivision Regulations reviewed by several local engineers / engineering firms in order to fine tune it; followed by review of Town Counsel. This ‘peer review’ and legal review will likely result in further amendments to the draft Regulations, which will then lead to a Public Hearing version for the Planning Board Public Hearing(s). Subdivision Regulations do not require a Town Meeting vote, but are approved by a majority vote of the Planning Board after public hearing.

3. Consideration of Major Zoning Amendments for the Spring, 2019:

It was decided by the Town Manager and Board of Selectmen that two major Zoning Bylaw amendments will be brought before voters at a Special Town Meeting on June 10, 2018. One of these is a Form-Based Code Bylaw for the part of Park Street that is currently zoned ‘Downtown Business’. I have been tasked with coordinating the preparation and public review of a Recreational Marijuana Zoning Bylaw, which will address the full scope of uses under the authority of the Massachusetts Cannabis Control Commission. As the Town has already limited the number of RETAIL establishments to one, this Bylaw will mainly address the other operations such as growing facilities / cultivation, product refining and manufacturing, independent testing laboratories, and transporters.

As of February 20, 2019, the Recreational Marijuana Bylaw Working Group has met twice, most recently on February 14 with an attorney from KP Law to answer pertinent legal and procedural questions. The Working Group will be meeting next on February 28 to finalize agreement on key issues (the table of uses, buffer distances between such establishments and schools and parks, etc.) which will enable me to finish the working draft Bylaw in early March. The draft Bylaw will then be forwarded to Town Counsel for their review prior to public information sessions, and later, Public Hearings to be held by the Planning Board.

4. Misc. and Upcoming Projects:

Another key project that I’ve been working on is the ‘**Conservation Analysis**’ guidance for the Open Space Residential Development (OSRD) section of the Ayer Zoning Bylaw. I am coordinating work on this guidance document with the Conservation Administrator, since the Conservation Commission has a key role in reviewing any conservation analysis and getting their recommendations to the Planning Board prior to their action on a subdivision plan. This is a fairly tricky document to prepare, since it requires consideration of both Conservation Commission and Planning Board timelines and permit requirements. A first draft of this document has been prepared, which will likely take another month to complete and formalize through amendments to the Planning Board administrative Rules and Regulations and the new Subdivision Regulations, both of which can be amended at a Public Hearing.

5. Stormwater Related Issues:

Over the last few months it has become evident that the Town of Ayer needs to develop guidance and procedures related to stormwater enforcement and administration. The Town Manager has formed a small working group to address this issue, which will lead to a process which can be carried over in work on the new Stormwater Management Bylaw which the Ayer DPW is taking the lead on.

